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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

26

Application Number

10/771,695

Filing Date

February 4, 2004

First Named Inventor

Hanke

Art Unit

1652

Examiner Name

Attorney Docket Number

040049

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Buchanan Ingersoll PC		
Signature			
Printed name	Duane A. Stewart III		
Date	September 9, 2005	Reg. No.	54,468

### CERTIFICATE OF TRANSMISSION/MAILING

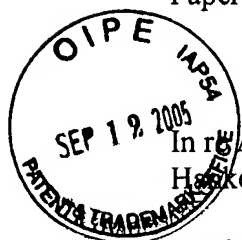
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Typed or printed name	Maria N. Dupain	Date	September 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION  
Paper Dated September 9, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Hecke et al.

Appl. No.: 10/771,695

Filed: February 4, 2004

Confirmation No. 4373

Art Unit: 1652

Examiner: To Be Assigned

Atty. Docket: 040049

For: Polynucleotides Encoding a Feedback-Resistant Aspartokinase From Corynebacterium

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

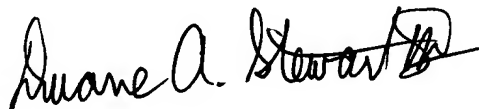
The enclosed Information Disclosure Statement on Forms PTO/SB/08A and PTO/SB/08B is provided in accordance with the requirements of 37 C.F.R. §§ 1.97 and 1.98. Please note that the majority of documents were previously submitted during prosecution of priority Application No. 09/722,441, now U.S. Patent No. 6,927,046. Therefore, pursuant to 37 C.F.R. § 1.98(d), copies of those documents are not included. The document that is included, Kim et al., does not appear to have been cited during prosecution of the parent application and is therefore included as required by the regulations. Please note that submission of these publications is not a representation that an individual search has been made. The Office is requested to make such a search. Prompt consideration and allowance of all claims is requested.

PATENT APPLICATION

Paper Dated September 9, 2005

No fee is believed to be due for the filing of this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee that may be required to Deposit Account No. 02-4553.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Duane A. Stewart III", with a stylized flourish at the end.

Dated: September 9, 2005

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

SEP 12 2005

ATTY. DOCKET NO.  
533.1030002/SRL/SEZAPPLICATION NO.  
09/722,441APPLICANT  
Hanke et al.FILING DATE  
November 28, 2000GROUP  
1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	2,979,439	04/11/1961	Kinoshita et al.	195	47	11/04/1958
	AB1	3,565,951	02/23/1971	Ishida et al.	260	527	03/20/1967
	AC1	3,687,810	08/29/1972	Kurihara et al.	195	29	06/08/1970
	AD1	3,700,557	10/24/1972	Nakayama et al.	195	29	08/06/1968
	AE1	3,707,441	12/26/1972	Shiio et al.	195	29	03/09/1970
	AF1	3,708,395	01/02/1973	Nakayama et al.	195	29	07/13/1970
	AG1	3,825,472	07/23/1974	Kubota et al.	195	29	10/02/1973
	AH1	4,169,763	10/02/1979	Nakayama et al.	435	115	07/11/1977
	AI1	4,560,654	12/24/1985	Miwa et al.	435	115	05/07/1981
	AJ1	4,861,722	08/29/1989	Sano et al.	435	252.32	06/01/1987
	AK1	4,954,441	09/04/1990	Katsumata et al.	435	115	05/25/1989

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP 0 811 682 A2	12/10/1997	Europe			Yes No
	AM1	EP 0 854 189 A2	07/22/1998	Europe			Yes No
	AN1	WO 00/63388	10/26/2000	WIPO			Yes X No
	AO1	WO 96/34961	11/07/1996	WIPO			Yes No
	AP1	EP 0 754 756 A1	01/22/1997	Europe			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Archer, J. and Sinskey, A.J., "The DNA sequence and minimal replicon of the <i>Corynebacterium glutamicum</i> plasmid pSR1: evidence of a common ancestry with plasmids from <i>C. diphtheriae</i> ," <i>J. Gen. Microbiol.</i> 139:1753-1759, Cambridge University Press (1993).
AS	1	Ben-Samoun, K. et al., "Positively regulated expression of the <i>Escherichia coli</i> araBAD promoter in <i>Corynebacterium glutamicum</i> ," <i>FEMS Microbiol. Lett.</i> 174:125-130, Federation of European Microbiological Societies and Elsevier Science B.V. (May 1999).
AT	1	Bowie, J.U. et al., "Deciphering the Message in Protein Sequences: Tolerance to Amino Acid Substitutions," <i>Science</i> 247:1306-1310, American Association for the Advancement of Science (1990).

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Hanke *et al.*FILING DATE  
November 28, 2000GROUP  
1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	4,980,285	12/25/1990	Sano <i>et al.</i>	435	108	09/25/1989
	AB2	5,236,831	08/17/1993	Katsumata <i>et al.</i>	435	106	02/02/1990
	AC2	5,243,039	09/07/1993	Schendel <i>et al.</i>	536	23.2	04/12/1991
	AD2	5,426,052	06/20/1995	Flickinger <i>et al.</i>	536	23.2	05/10/1991
	AE2	5,631,150	05/20/1997	Harkki <i>et al.</i>	435	105	01/03/1995
	AF2	5,650,304	07/22/1997	Ishii <i>et al.</i>	435	115	02/03/1995
	AG2	5,661,012	08/26/1997	Sano <i>et al.</i>	435	115	07/01/1994
	AH2	5,688,671	11/18/1997	Sugimoto <i>et al.</i>	435	115	10/27/1995
	AI2	5,693,781	12/02/1997	Zupancic <i>et al.</i>	536	24.1	06/15/1993
	AJ2	5,700,661	12/23/1997	Katsumata <i>et al.</i>	435	69.1	06/03/1996
	AK2	5,707,828	01/13/1998	Sreekrishna <i>et al.</i>	435	69.1	05/03/1995

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Brutlag, D.L. <i>et al.</i> , "Improved sensitivity of biological sequence database searches," <i>Comp. App. Biosci.</i> 6:237-245, IRL Press (1990)
	AS	2	Copeland, R.A., "Cooperativity in Enzyme Catalysis," in <i>Enzymes. A Practical Introduction to Structure, Mechanism, and Data Analysis</i> , pages 279-296, Wiley-VCH, New York (1996).
	AT	2	Cremer, J. <i>et al.</i> , "Control of the Lysine Biosynthesis Sequence in <i>Corynebacterium glutamicum</i> as Analyzed by Overexpression of the Individual Corresponding Genes," <i>Appl. Environ. Microbiol.</i> 57:1746-1752, American Society for Microbiology (1991).

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3	5,726,299	03/10/1998	Zupancic <i>et al.</i>	536	24.1	08/01/1994
	AB3	5,759,828	06/02/1998	Tal <i>et al.</i>	435	172.3	09/20/1994
	AC3	5,766,925	06/16/1998	Sugimoto <i>et al.</i>	435	252.32	10/08/1996
	AD3	5,773,691	06/30/1998	Falco <i>et al.</i>	800	205	06/07/1995
	AE3	5,846,790	12/08/1998	Kimura <i>et al.</i>	435	110	02/18/1997
	AF3	5,888,783	03/30/1999	Tomita <i>et al.</i>	435	115	02/28/1997
	AG3	5,919,670	07/06/1999	Okamoto <i>et al.</i>	435	106	06/18/1998
	AH3	5,965,391	10/12/1999	Reinscheid <i>et al.</i>	435	69.1	05/08/1997
	AI3	6,004,773	12/21/1999	Araki <i>et al.</i>	435	41	12/05/1997
	AJ3	6,027,920	02/22/2000	Joliff <i>et al.</i>	435	69.7	07/31/1995
	AK3	6,057,299	05/02/2000	Henderson	514	44	09/27/1996

## FOREIGN PATENT DOCUMENTS

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	3	Cremer, J. <i>et al.</i> , "Regulation of enzymes of lysine biosynthesis in <i>Corynebacterium glutamicum</i> ," <i>J. Gen. Microbiol.</i> 134:3221-3229, Cambridge University Press (1988).
	AS	3	Follettie, M. <i>et al.</i> , "Gene Structure and Expression of the <i>Corynebacterium flavum</i> N13 ask-asd Operon," <i>J. Bacteriol.</i> 175:4096-4103, American Society for Microbiology (1993).
	AT	3	Jobling, M.G. and Homes, R.K., "Construction of vectors with the p15a replicon, kanamycin resistance, inducible <i>lacZ</i> $\alpha$ and pUC18 or pUC19 multiple cloning sites," <i>Nucleic Acids Res.</i> 18:5315-5316, Oxford University Press (1990).

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1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA4	6,090,597	07/18/2000	Hirano <i>et al.</i>	435	115	05/07/1997
	AB4	5,605,793	02/25/1997	Stemmer, W.P.C.	435	6	02/17/1994
	AC4	5,643,790	07/01/1997	Morinaga <i>et al.</i>	435	252.3	02/16/1995
	AD4	5,591,577	01/07/1997	Tsuchiya <i>et al.</i>	435	6	05/20/1994
	AE4	5,597,727	01/28/1997	Kohama <i>et al.</i>	435	252.32	05/18/1994
	AF4	4,710,471	12/01/1987	Katsumata <i>et al.</i>	435	253	11/05/1984
	AG4	4,757,009	07/12/1988	Sano <i>et al.</i>	435	106	08/28/1984
	AH4	4,778,762	10/18/1988	Miwa <i>et al.</i>	435	320	10/18/1982
	AI4	4,822,738	04/18/1989	Miwa <i>et al.</i>	435	252.3	12/21/1987
	AJ4	5,426,050	06/20/1995	Morinaga <i>et al.</i>	435	252.32	12/16/1993
	AK4	4,346,170	08/24/1982	Sano <i>et al.</i>	435	115	07/23/1980

## FOREIGN PATENT DOCUMENTS

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	4	Kleemann, A. <i>et al.</i> , "Amino Acids," in <i>Ullmann's Encyclopedia of Industrial Chemistry</i> , Vol. A2, pp. 57-97, Weinham: VCH-Verlagsgesellschaft (1985).
	AS	4	Liebl, W. <i>et al.</i> , "Transfer of <i>Brevibacterium divaricatum</i> DSM 20297 <sup>T</sup> , ' <i>Brevibacterium flavum</i> ' DSM 20411, ' <i>Brevibacterium lactofermentum</i> ' DSM 20412 and DSM 1412, and <i>Corynebacterium lilium</i> DSM 20137 <sup>T</sup> to <i>Corynebacterium glutamicum</i> and Their Distinction by rRNA Gene Restriction Patterns," <i>Int. J. Syst. Bacteriol.</i> 41:255-260, International Union of Microbiological Societies (1991).
	AT	4	Lonsdale, D.M. <i>et al.</i> , "pFC1 to pFC7: A Novel Family of Combinatorial Cloning Vectors," <i>Plant Mol. Biol. Rep.</i> 13:343-345, Kluwer Academic Publishers (1995).

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA5	4,489,160	12/18/1984	Katsumata <i>et al.</i>	435	253	08/24/1982
	AB5	4,500,640	02/19/1985	Katsumata <i>et al.</i>	435	253	04/13/1982
	AC5	4,514,502	04/30/1985	Miwa <i>et al.</i>	435	253	06/10/1982
	AD5	4,559,308	12/17/1985	Nutter <i>et al.</i>	435	317	01/27/1983
	AE5	4,617,267	10/14/1986	Katsumata <i>et al.</i>	435	91	01/25/1984
	AF5	5,929,221	07/27/1999	Kimura <i>et al.</i>	536	23.1	08/22/1996
	AG5	5,834,231	11/10/1998	Stoddard <i>et al.</i>	435	42	10/24/1996
	AH5	3,959,075	05/25/1976	Inuzuka <i>et al.</i>	195	29	07/15/1975
	AI5	5,919,694	07/06/1999	Sugimoto <i>et al.</i>	435	252.33	11/10/1997
	AJ5	5,876,983	03/02/1999	Sugimoto <i>et al.</i>	435	106	04/29/1996
	AK5	5,804,414	09/08/1998	Moriya <i>et al.</i>	435	69.1	07/01/1996

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	5	Malumbres, M. and Martín, J.F., "Molecular control mechanisms of lysine and threonine biosynthesis in amino acid-producing corynebacteria: Redirecting carbon flow," <i>FEMS Microbiol. Lett.</i> 143:103-114, Federation of European Microbiological Societies, Elsevier Science B.V. (1996).
	AS	5	Marcel, T. <i>et al.</i> , "Nucleotide sequence and organization of the upstream region of the <i>Corynebacterium glutamicum</i> <i>lysA</i> gene," <i>Mol. Microbiology</i> 4:1819-1830, Blackwell Scientific Publications (1990).
	AT	5	Nakayama, K. <i>et al.</i> , "Microbial Production of Essential Amino Acids with <i>Corynebacterium glutamicum</i> Mutants," in <i>Nutritional Improvement of Food and Feed Proteins</i> , Friedman, ed., Plenum Press, New York, NY, pp. 649-661 (1978).

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA6	5,640,803	06/24/1997	Kloepper <i>et al.</i>	47	57.6	06/30/1994
	AB6	5,633,154	05/27/1997	Schaefer <i>et al.</i>	435	172.3	11/04/1994
	AC6	5,556,776	09/17/1996	Tsuchiya <i>et al.</i>	435	106	09/23/1994
	AD6	5,547,864	08/20/1996	Kawasaki <i>et al.</i>	435	170	09/08/1994
	AE6	5,498,532	03/12/1996	Katsumata <i>et al.</i>	435	106	12/28/1990
	AF6	5,380,657	01/10/1995	Schaefer <i>et al.</i>	435	172.3	03/18/1993
	AG6	5,158,891	10/27/1992	Takeda <i>et al.</i>	435	320.1	03/13/1990
	AH6	5,034,319	07/23/1991	Azuma <i>et al.</i>	435	114	04/07/1989
	AI6	5,034,318	07/23/1991	Miwa <i>et al.</i>	435	108	03/22/1990
	AJ6	4,601,983	07/22/1986	Nakamori <i>et al.</i>	435	115	06/15/1983
	AK6	6,200,785 B1	03/13/2001	Kreutzer <i>et al.</i>	435	115	07/14/1999

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>6</u>	Oguiza, J.A. <i>et al.</i> , "A Gene Encoding Arginyl-tRNA Synthetase Is Located in the Upstream Region of the <i>lysA</i> Gene in <i>Brevibacterium lactofermentum</i> : Regulation of <i>argS-lysA</i> Cluster Expression by Arginine," <i>J. Bacteriol.</i> 175:7356-7362, American Society for Microbiology (1993).
	AS	<u>6</u>	Pátek, M. <i>et al.</i> , "Promoters from <i>Corynebacterium glutamicum</i> : cloning, molecular analysis and search for a consensus motif," <i>Microbiology</i> 142:1297-1309, SGM (1996).
	AT	<u>6</u>	Pátek, M. <i>et al.</i> , "Identification and transcriptional analysis of the <i>dapB</i> -ORF2- <i>dapA</i> -ORF4 operon of <i>Corynebacterium glutamicum</i> , encoding two enzymes involved in L-lysine synthesis," <i>Biotechnol. Lett.</i> 19:1113-1117, Chapman & Hall (November 1997).
EXAMINER			DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AA7	6,221,636 B1	04/24/2001	Hayakawa <i>et al.</i>	435	115	12/05/1997
	AB						
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>I</u>	"pPMG-LIC Bacterial Cloning Vector and Cloning Kit," in 1999 <i>Research Products Catalog</i> , BD Pharmingen, pg. 839 (1999).
	AS	<u>I</u>	Record, M.T. <i>et al.</i> , "Escherichia coli RNA Polymerase (Eo <sup>70</sup> ), Promoters, and the Kinetics of the Steps of Transcription Initiation," in <i>Escherichia coli and Salmonella: Cellular and Molecular Biology</i> , American Society for Microbiology Press, pp. 792-821 (1996).
	AT	<u>I</u>	Reinscheid, D.J. <i>et al.</i> , "Cloning, sequence analysis, expression and inactivation of the <i>Corynebacterium glutamicum</i> pta-ack operon encoding phosphotransacetylase and acetate kinase," <i>Microbiology</i> 145:503-513, Society for General Microbiology (February 1999).
EXAMINER			
DATE CONSIDERED			

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## INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
1533.1030002/SRL/SEZAPPLICATION NO.  
09/722,441APPLICANT  
Hanke *et al.*FILING DATE  
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1645

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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## FOREIGN PATENT DOCUMENTS

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							Yes
							No
	AL						Yes
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	AM						Yes
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	AN						Yes
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	AO						Yes
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	AP						Yes
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>8</u>	Sahm, H. <i>et al.</i> , "Construction of L-lysine-, L-threonine-, or L-isoleucine-overproducing strains of <i>Corynebacterium glutamicum</i> ," <i>Ann. N.Y. Acad. Sci.</i> 782:25-39, The New York Academy of Sciences (1996).
	AS	<u>8</u>	Schäfer, A. <i>et al.</i> , "Small mobilizable multi-purpose cloning vectors derived from the <i>Escherichia coli</i> plasmids pK18 and pK19: selection of defined deletions in the chromosome of <i>Corynebacterium glutamicum</i> ," <i>Gene</i> 145:69-73, Elsevier Science B.V. (1994).
	AT	<u>8</u>	Van Walsem, H.J. and Thompson, M.C., "Simulated moving bed in the production of lysine," <i>J. Biotechnol.</i> 59:127-132, Elsevier Science B.V. (1997).

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Derwent WPI, English language abstract of document AN1 (WO 00/63388) (October 26, 2000), Accession No. 2000-687179/200067.

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English language translation of claims of document AN1 (WO 00/63388) (October 26, 2000).

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							Yes No
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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>10</u>	English language translation of claims 10 and 11 only of document AN1 (WO 00/63388) (October 26, 2000).
	AS	<u>10</u>	Serebrijski, I. <i>et al.</i> , "Multicopy Suppression by <i>asd</i> Gene and Osmotic Stress-Dependent Complementation by Heterologous <i>proA</i> in <i>proA</i> Mutants," <i>J. Bact.</i> 177:7255-7260, American Society for Microbiology (1995).
	AT	<u>10</u>	Kalinowski, J. <i>et al.</i> , "Aspartokinase genes <i>lysC<math>\alpha</math></i> and <i>lysC<math>\beta</math></i> overlap and are adjacent to the aspartate $\beta$ -semialdehyde dehydrogenase gene <i>asd</i> in <i>Corynebacterium glutamicum</i> ," <i>Mol. Gen. Genet.</i> 224:317-324, Springer-Verlag (1990).

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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

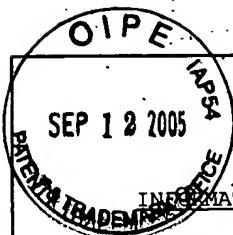
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	11	Serwold-Davis, T.M. et al., "Transformation of <i>Corynebacterium diphtheriae</i> , <i>Corynebacterium ulcerans</i> , <i>Corynebacterium glutamicum</i> , and <i>Escherichia coli</i> with the <i>C. diphtheriae</i> plasmid pNG2," <i>Proc. Natl. Acad. Sci. USA</i> 84:4964-4968, The National Academy of Sciences of the USA (1987).
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FIRST SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL2	EP 0 733 710 A1	09/25/1996	Europe			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	<u>11</u>	Search Report for International Application PCT/US00/35617; mailed August 13, 2001.
	AT		

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## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM2	EP 1 108 790 A2	06/20/2001	EPO			Yes No
	AN						Yes No
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
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	AT	11	Pisabarro, A., <i>et al.</i> , "A Cluster of Three Genes ( <i>dapA</i> , <i>orf2</i> , and <i>dapB</i> ) of <i>Brevibacterium lactofermentum</i> Encodes Dihydrodipicolinate Synthase, Dihydrodipicolinate Reductase, and a Third Polypeptide of Unknown Function," <i>J. Bacteriol.</i> 175:2743-2749, American Society for Microbiology (1993).

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09/722,441SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTAPPLICANT  
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	AN						Yes No
	AO						Yes No
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>1000</u> <u>2</u>	Yeh, P., <i>et al.</i> , "Nucleotide sequence of the <i>lysA</i> gene of <i>Corynebacterium glutamicum</i> and possible mechanisms for modulation of its expression," <i>Mol. Gen. Genet.</i> 212:112-119, Springer Verlag (1988).
	AS	<u>1000</u> <u>2</u>	Database EMBL Acc. No. Z21502, Pisabarro, A., <i>et al.</i> (August 16 1993).
	AT	<u>1000</u> <u>2</u>	Database EMBL Acc. No. AX122246, Nakagawa, S., <i>et al.</i> (May 11, 2001).

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## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>13</u>	Database EMBL Acc. No. AX123535, Nakagawa, S., <i>et al.</i> (May 11, 2001).
	AS	<u>13</u>	Database EMBL Acc. No. AX125746, Nakagawa, S., <i>et al.</i> (May 10, 2001).
	AT	<u>13</u>	International Search Report for International Patent Application No. PCT/US00/35617, mailed October 25, 2001.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/771,695		
		Filing Date	February 4, 2004		
		First Named Inventor	Paul Hanke		
		Art Unit	1652		
		Examiner Name			
Sheet		of		Attorney Docket Number	040049

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		KIM et al, J. Microbiology and Biotechnology, "Cloning and Sequencing of the ddh Gene Involved...Brevibacterium Lactofermentum", Vol. 5, No. 5, 250-256, 1995.	

Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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